



BEFORE THE ARIZONA CORPORATION

JIM IRVIN
COMMISSIONER - CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF)
SPRINT PAYPHONE SERVICES, INC. FOR A)
CERTIFICATE OF CONVENIENCE AND)
NECESSITY TO PROVIDE CUSTOMER-OWNED)
PAY TELEPHONE SERVICE IN THE STATE OF)
ARIZONA.)

DOCKET NO. T-03555A-98-0223

DECISION NO. 61049

ORDER

Arizona Corporation Commission
DOCKETED

Open Meeting
August 4 and 5, 1998
Phoenix, Arizona

AUG 06 1998

DOCKETED BY

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On April 30, 1998, Sprint Payphone Services, Inc. ("Applicant") filed with the Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide Customer-Owned Pay Telephone ("COPT") Service in the State of Arizona.

2. In Decision No. 55817 (December 10, 1987) the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

3. The Commission in Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

4. In Decision No. 50535 (February 14, 1994) the Commission adopted a Generic Tariff which establishes rates and minimum service standards applicable to COPT service.

5. Pursuant to A.R.S. § 10-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

6. Applicant has requested that a Certificate be granted pursuant to A.A.C. R14-2-905, and has indicated that it will provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT Tariff.

- 1 7. Applicant is Florida corporation authorized to do business in Arizona since 1997.
- 2 8. Applicant does not presently provide COPT service in Arizona.
- 3 9. Applicant plans to provide end-users with 0+, 1+, local, calling card, long distance service,
- 4 and operator assisted calls. A minimum of a three minute time limit will be allowed on local calls.
- 5 10. Applicant submitted a sample customer information posting for the review of the
- 6 Commission's Utilities Division Staff ("Staff"). Staff has determined that the posting is not in
- 7 compliance with the Generic COPT Tariff, as it does not state a time limit for a local coin rate.
- 8 11. On May 27, 1998, Staff filed a Staff Recommendation, recommending approval of
- 9 Applicant's application without a hearing.
- 10 12. Staff further recommended that Applicant be ordered to file a copy of its customer
- 11 information posting with Staff for approval prior to it providing service at any locations.

CONCLUSIONS OF LAW

- 13 1. Applicant is a public service corporation within the meaning of Article XV of the Arizona
- 14 Constitution and A.R.S. §§40-281 and 40-282.
- 15 2. The Commission has jurisdiction over Applicant and the subject matter of the application.
- 16 3. Notice of the application was given in accordance with the law.
- 17 4. The provision of COPT service in Arizona by Applicant is in the public interest.
- 18 5. Applicant is a fit and proper entity to receive a Certificate for providing COPT service in
- 19 Arizona.

ORDER

21 IT IS THEREFORE ORDERED that the application of Sprint Payphone Services, Inc. for a

22 Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service

23 in Arizona shall be, and the same is, hereby granted, conditioned upon Applicant filing a customer

24 information posting approved by the Director of the Utilities Division for compliance with the

25 requirements of the Generic COPT Tariff within sixty days of the effective date of this Decision.

26 IT IS FURTHER ORDERED that if Applicant fails to timely file an approved customer

27 information posting, the application shall be denied without further Order of this Commission, and Staff

28 shall notify the local exchange company that provides public access line service to Applicant's pay

1 telephones, if any, pursuant to A.A.C. R14-2-903 C, so that any public access lines held by Applicant
2 are disconnected

3 IT IS FURTHER ORDERED that Sprint Payphone Services, Inc. shall comply with Staff's
4 recommendation in Findings of Fact No. 12.

5 IT IS FURTHER ORDERED that Sprint Payphone Services, Inc. shall comply with the terms of
6 the Generic COPT Tariff, unless otherwise ordered by the Commission, pursuant to A.A.C. R14-2-906.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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10 
11 COMMISSIONER - CHAIRMAN

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13 COMMISSIONER

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15 COMMISSIONER

16 IN WITNESS WHEREOF, I, JACK ROSE, Executive Secretary of the Arizona
17 Corporation Commission, have hereunto set my hand and caused the official seal
18 of the Commission to be affixed at the Capitol, in the City of Phoenix, this
19 6th day of August, 1998.

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21 JACK ROSE
22 EXECUTIVE SECRETARY

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1 SERVICE LIST FOR: SPRINT PAYPHONE SERVICES, INC.

2 DOCKET NO.: T-03555A-98-0223

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